

19850305

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, MARCH 5, 1985

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 10:10 a.m. Council Member Martinez introduced and welcomed students from San Diego High School who are enrolled in the "English as a Second Language" class. The meeting was recessed by Mayor Hedgecock at 12:05 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Hedgecock at 2:05 p.m. with Council Members Cleator and Martinez not present. Mayor Hedgecock adjourned the meeting at 3:45 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-excused by R-262652
(City business to attend the Seatrade Cruise Shipping
Conference in New York City)
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-present
- Clerk-Abdelnour (mp a.m.; bb p.m.)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-present

ITEM-310: WELCOMED BY COUNCIL MEMBER JONES

Welcoming 42 visitors from City Tree School, who will attend this meeting accompanied by Corinne Krahn, Teacher. This group will arrive at approximately 11:15 a.m. (District-8.)

FILE: MEET

COUNCIL ACTION: (Tape location: B645-669.)

ITEM-330:

Five actions relative to improvements of City Heights Block Grant Alleys, Water and Sewer Main Replacement - Contract No. 4 under Resolution of Intention R-262399, adopted on January 28, 1985, the provisions of the San Diego Municipal Code and the Improvement Act of 1911: (East San Diego Community Area. Districts-3 and 8.)

Subitem-A: (R-85-1233) ADOPTED AS RESOLUTION R-262656
Resolution of Feasibility for the above improvements.
(Eight votes required.)

Subitem-B: (R-85-1231) ADOPTED AS RESOLUTION R-262657
Ordering the work for the improvements.

Subitem-C: (R-85-1229) ADOPTED AS RESOLUTION R-262658
Adopting plans and specifications for the improvements.

Subitem-D: (R-85-1230) ADOPTED AS RESOLUTION R-262659
Approving the City Engineer's report submitted in connection with the establishment of the improvements.

Subitem-E: (R-85-1232) ADOPTED AS RESOLUTION R-262660
Inviting sealed proposals for bids.

CITY MANAGER REPORT: The City Heights Alleys, Water and Sewer Replacement - Contract No. 4 is the fourth project in the City Heights area to be considered by Council under the CDBG - Assessment District cost sharing concept. The cost sharing concept is based on CDBG funds being used to finance 50 percent of the alley improvements regardless of the income or residency status of the benefitting property owners. The remaining 50 percent of the alley improvement cost will be assessed to the benefitting parcels with CDBG funds being utilized to pay the assessments for owner-occupants who meet HUD income guidelines. Property owners who do not qualify may pay the remaining 50

percent over a period of ten years.

The proposed improvements to the six alleys included in this contract consist of clearing, grubbing, grading, paving, curb, retaining wall, storm drain, sewer and water main replacement improvements. There are 111 parcels involved and 48 of them are owner-occupied. All property owners have been notified of the proposed improvements and given information regarding the assessment payment program. The cost of the water and sewer main replacements will be paid from Water Utility Department water and sewer annual allocation funds.

NOTE: See Item 331.

FILE: STRT D-2252

COUNCIL ACTION: (Tape location: D017-026; F140-160.)

Hearing began at 2:05 p.m. and recessed at 2:06 p.m.

Hearing resumed at 3:41 p.m. and halted at 3:42 p.m.

MOTION BY MARTINEZ TO CLOSE HEARING AND ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-331: (R-85-1547) ADOPTED AS RESOLUTION R-262661

Waiving the collection of advance incidentals for the improvement of City Heights Block Grant Alleys, Water and Sewer Main Replacement - Contract No. 4 under the provisions of the San Diego Municipal Code and the Improvement Act of 1911.

(East San Diego Community Area. Districts-3 and 8.)

CITY MANAGER REPORT: Under the provisions of the 1911 Act, the City is reimbursed for its design, administration and inspection costs by cash payment from the contractor. Half of these costs, referred to as "incidental" costs, are paid upon execution of the construction contract and the balance is paid following the assessment confirmation hearing after the work is done. Since the contractor does not receive the proceeds from the assessment district until 45 to 60 days after the confirmation hearing, the interest cost on the initial payment (advance incidentals) must be added into the construction bid. In this project, there is substantial utility work which must be done before the alley improvements can be constructed. This will increase the interest cost on the \$10,766 advance incidental amount. To alleviate this condition, it is recommended that the collection of the advance incidentals be waived. Under this procedure, the entire amount of the incidental costs would be collected following the confirmation

hearing.

NOTE: See Item 330.

FILE LOCATION: STRT D-2252

COUNCIL ACTION: (Tape location: F161-200.)

MOTION BY MARTINEZ TO ADOPT WITH THE TRANSPORTATION AND LAND
USE

COMMITTEE TO REVIEW POLICY AND RECOMMEND MODIFICATION(S) FOR ALL
PROJECTS IN THE FUTURE. Second by Gotch. Passed by the
following vote: Mitchell-yea, Cleator-not present, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

ITEM-332:

Rezoning a portion of Parcel 1, Parcel Map PM-13289 (a
1.816-acre site), located 200 feet east of Cardinal Road
between Mocking Bird Drive and Starling Lane in the Serra
Mesa Community Plan area, from Zone R1-5000 to Zone CN.
(Case-84-0468. District-5.)

Subitem-A: (R-85-1390) ADOPTED AS RESOLUTION R-262653

Adoption of a Resolution certifying that the information
contained in Environmental Negative Declaration END-84-0468
has been completed in compliance with the California
Environmental Quality Act of 1970 and State guidelines, and
that said declaration has been reviewed and considered by
the Council.

Subitem-B: (O-85-128) INTRODUCED, TO BE ADOPTED MARCH
18, 1985

Introduction of an Ordinance for CN Zoning.

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: C405-410.)

Hearing began at 12:04 p.m. and halted at 12:05 p.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, ADOPT THE RESOLUTION,
AND INTRODUCE THE ORDINANCE. Second by Martinez. Passed by the
following vote: Mitchell-yea, Cleator-not present, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

ITEM-333:

Rezoning Parcels 3 and 4, Parcel Map PM-13071 (a 91.2-acre
site), located on the north and south sides of Mira Mesa
Boulevard, adjacent to the east side of the proposed
alignment of Camino Santa Fe in the Mira Mesa Community

Plan area, from Zone A-1-10 and A-1-10 (HR) to Zones
R1-5000, R1-5000 (HR), R-3000 and R-3000 (HR).
(Case-84-0675. District-5.)

Subitem-A: (R-85-1489) ADOPTED AS RESOLUTION R-262654

Adoption of a Resolution certifying that the information
contained in Environmental Mitigated Negative Declaration
EMND-84-0675 has been completed in compliance with the
California Environmental Quality Act of 1970 and State
guidelines, and that said declaration has been reviewed and
considered by the Council.

Subitem-B: (O-85-135) INTRODUCED, TO BE ADOPTED MARCH
18, 1985

Introduction of an Ordinance for R1-5000, R1-5000 (HR),
R-3000 and R-3000 (HR) Zoning.

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: C086-094.)

Hearing began at 11:41 a.m. and halted at 11:42 p.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, ADOPT THE RESOLUTION,
AND INTRODUCE THE ORDINANCE. Second by Murphy. Passed by the
following vote: Mitchell-yea, Cleator-not present, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

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ITEM-334: (R-85-1899) ADOPTED AS RESOLUTION R-262655 GRANTING
APPEAL AND VARIANCE

Appeal of Darrow C. and Elizabeth J. Roundy by Voyd H.
Beights, Agent, from the decision of the Board of Zoning
Appeals in denying Zoning Variance Case C-14838 for an
amendment to construct a second-story addition on the north
side of a lot, observing 0'0" interior side yard where
14'0" is required. The existing commercial building
observes a 0'0" interior side yard where 14'0" is required.
The subject property is located at 4689 Convoy Street, in
Zone M-1A and is more particularly described as Lot 18,
Aero Industrial Park, Map-4639.
(Case C-14838. District-5.)

FILE: ZONE Zoning Appeals Case C-14838

COUNCIL ACTION: (Tape location: C095-404.)

Hearing began at 11:42 a.m. and halted at 12:04 p.m.

Testimony in favor of the appeal by Voyd Beights and Elizabeth
Roundy.

Motion by Mitchell to return to the City Manager the matter of returning the fees any time someone goes through the appeals process and wins. No second.

MOTION BY STRUIKSMA TO CLOSE THE HEARING AND GRANT THE APPEAL AND VARIANCE. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-335: (R-85-1246) ADOPTED AS RESOLUTION R-262662

(Continued from the meetings of January 22, 1985 and February 12, 1985; last continued at the Housing Commission's request.)

Authorizing the City Manager to submit an application to the Mortgage Bond Allocation Committee for an allocation with respect to qualified mortgage bonds to be issued by the City of San Diego for the purpose of single family home purchases in an aggregate principal amount not to exceed \$150,000,000 (Single Family Bond Program Issue C) and approving and ratifying any such action previously taken by the City Manager with regard to such application; approving the Policies Report and authorizing the Mayor and City Clerk to execute the Report on behalf of the City of San Diego.

(See Housing Commission Report HCR-85-003CC.)

FILE: MEET

COUNCIL ACTION: (Tape location: D054-E145.)

Hearing began at 2:09 p.m. and halted at 2:58 p.m.

Council Member Martinez entered at 2:12 p.m.

MOTION BY JONES TO APPROVE THE APPLICATION AND DIRECT HOUSING COMMISSION TO REDEFINE ITS TARGETING POLICY TO ENCOMPASS THOSE NEIGHBORHOODS THAT ARE DEPRESSED AND/OR FACING SEVERE ECONOMIC HARDSHIPS AND REPORT TO COUNCIL IN 30 DAYS. Second by Murphy.

Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-336:

Matter of:

A proposal recommending City Council adoption of a revision of the Transportation Element and General Plan Map of the Progress Guide and General Plan for The City of San Diego. The proposed Transportation Element contains updated and

expanded Findings, Goals, Guidelines and Standards and Recommendations. The proposed Map shows the location of existing and proposed transportation facilities and services.

The Transportation Element provides a framework for developing a comprehensive, coordinated transportation system to meet the travel needs of San Diego's residents, visitors, and businesses. It also serves to ensure that these transportation facilities and services are compatible with and supportive of other City and regional developmental goals.

Subitem-A: (R-85-621) ADOPTED AS RESOLUTION R-262663

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-84-0553 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-85-620 Rev.1) ADOPTED AS RESOLUTION
R-262664

Adoption of a Resolution approving the revised Transportation Element Guide and the revised General Plan Map.

FILE: LAND - Progress Guide and General Plan

COUNCIL ACTION: (Tape location: E146-F139.)

Testimony in opposition by George Watkins.

MOTION BY MARTINEZ TO ADOPT WITH MAP ALIGNMENT OF S728 TO BE FURTHER REVIEWED REGARDING ULTIMATE RIGHT-OF-WAY. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S500: APPROVED REPORT

(Continued from the meeting of February 26, 1985 at the City Manager's request.)

Matter of the City Manager's Report regarding a structural analysis of the Candy Factory.

(See City Manager Report CMR-85-75. Centre City Community Area. District-8.)

FILE: MEET

COUNCIL ACTION: (Tape location: C006-079.)

MOTION BY MARTINEZ TO APPROVE THE REPORT. Second by Gotch.

Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S501: (R-85-1329) REFERRED TO CITY MANAGER

(Continued from the meetings of January 28, 1985, February 19, 1985 and February 26, 1985; last continued at Council Member McColl's request.)

Directing the City Manager to negotiate a contract with the Center for Industrial Medicine to provide Industrial Medical Services to the City.

(See memorandum from Sue Williams, Deputy City Manager, dated 2/13/85; memorandum from Mayor Roger Hedgecock dated 1/17/85; memorandum from the City Manager dated 2/19/85; City Manager Report CMR-85-83; City Manager Report CMR-84-475.)

COMMITTEE ACTION: Reviewed by RULES on 1/14/85. Recommendation to send the Resolution to Council and adopt. Districts 1, 4 and 8 voted yea. District 6 and the Mayor were excused.

FILE: MEET

COUNCIL ACTION: (Tape location: A013-B561.)

Motion by Martinez to contract with the No. 4 provider. Second by Mitchell. Failed by the following vote: Yeas: 1,8. Nays: 3,4,5,7,M. Ineligible: 6. Not Present: 2.

Motion by Mitchell to contract with Bidders No. 2 and No.4.

Second by Martinez. Failed by the following vote: Yeas: 1,8.

Nays: 3,4,5,7,M. Ineligible: 6. Not Present: 2.

Motion by Struiksmayea to contract with Bidders No. 1 and No. 4.

Second by Murphy. Failed by the following vote: Yeas:

1,5,7,8. Nays: 3,4,M. Ineligible: 6. Not Present: 2.

MOTION BY JONES TO REFER TO THE CITY MANAGER WITH INSTRUCTIONS AS FOLLOWS: REJECT ALL BIDS AND INITIATE A SUPPLEMENTARY RFP IMMEDIATELY; THE SUPPLEMENTARY RFP IS TO BE FORWARDED TO THE RULES COMMITTEE FOR REVIEW AND THEREAFTER DOCKETED FOR THE FULL COUNCIL'S REVIEW AND APPROVAL PRIOR TO BEING SUBMITTED TO THE TOP FOUR BIDDERS; INFORM THE BIDDERS OF THE CITY'S INTEREST IN TOTAL COST CONTAINMENT AND THAT A CREATIVE PROPOSAL SHOULD BE SUBMITTED; CONDUCT A STUDY ON THE POSSIBILITY OF MAINTAINING ITS OWN DOCTOR AND NURSE TO HANDLE FIRST AID AND TO ACT AS A TRIAGE OFFICER AT THE MEDICAL FACILITY. INCLUDE A FISCAL IMPACT

REPORT. Second by McColl. Passed by the following vote:

Mitchell-nay, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-ineligible, Murphy-yea, Martinez-yea, Mayor

Hedgecock-yea.

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ITEM-S502: (R-85-1686) ADOPTED AS RESOLUTION R-262665

(Continued from the meeting of February 26, 1985 at Councilmember Jones's request for further discussion.)
The matter of a request by residents to require Baldwin Corporation to construct a solid noise wall on Carmel Park Drive, in connection with an amendment to the North City West Development Plan, Neighborhood 5 Revision, Case-84-0433.1 and Tentative Map TM-82-0433.1.
(District-1.)

FILE: PERM PD 82-0433.1

COUNCIL ACTION: (Tape location: D027-053.)

MOTION BY MURPHY TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 3:45 p.m.

FILE: MINUTES

COUNCIL ACTION: (Tape location: F201-219).

MOTION BY MITCHELL TO ADJORN IN HONOR OF THE MEMORY OF DANIEL HUFFMAN. Second by Gotch . Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.